

REMARKS

The present application was filed on November 25, 1998 with claims 1-21. Claims 4, 11 and 18 were canceled in an Amendment filed on December 8, 2003. Claims 1-3, 5-10, 12-17 and 19-21 remain pending. Claims 1, 8 and 15 are the independent claims.

In the final Office Action, the Examiner rejected claims 1-3, 6-10, 13-17, 20 and 21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,933,421 (hereinafter "Alamouti") in view of an article by F. Sjoberg et al. entitled "Performance evaluation of the Zipper duplex method" (hereinafter "Sjoberg"), and rejected claims 5, 12 and 19 under 35 U.S.C. §103(a) as being unpatentable over Alamouti and Sjoberg in view of U.S. Patent No. 5,726,978 (hereinafter "Frodigh").

In this response, Applicant amends independent claims 1, 8 and 15. Applicant respectfully requests reconsideration of the present application in view of the above amendments and the following remarks.

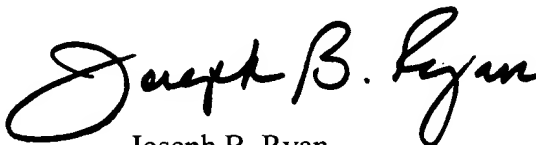
Independent claim 1 has been amended to include a limitation specifying that communications between the base station and at least a subset of the plurality of subscriber units are separated from one another using one or more sector-specific spreading codes, with each of the sector-specific spreading codes being associated with a corresponding sector of an antenna of the base station. Similar limitations have been added to independent claims 8 and 15.

An illustrative embodiment of an arrangement of the type claimed is described in conjunction with FIGS. 12-15 of the drawings and the associated text at page 9, line 22, to page 11, line 5, of the specification. More specifically, and by way of example only, utilization of sector-specific spreading codes is illustrated in conjunction with elements 130, 146, 230 and 246 of FIGS. 12, 13, 14 and 15, respectively.

It is believed that the claimed arrangements are not disclosed in the collective teachings of Alamouti, Sjoberg and Frodigh.

Accordingly, Applicant believes that claims 1-3, 5-10, 12-17 and 19-21 as amended are in condition for allowance, and respectfully requests the withdrawal of the §103(a) rejections.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph B. Ryan". The signature is written in a cursive style with a large, looping initial "J".

Date: June 10, 2004

Joseph B. Ryan
Attorney for Applicant(s)
Reg. No. 37,922
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7517